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Mission Statement
Together we are committed to graduating and preparing all children for success in college and careers.

MINUTES
SPECIAL BOARD OF EDUCATION MEETING
July 2, 2009
Central Administration – Board Room

1.00 President Bartha called the meeting to order at 6:02 p.m.
Roll call was taken with the following members present: President Anna Bartha, Director Kent Clawson, Director Mark Shook, Director Dave Stark, Director Dave Martin was absent with prior notice.

2.00 Welcome and Pledge of Allegiance
President Bartha welcomed those in attendance and invited them to join the Board in the Pledge of Allegiance.

3.00 Approval of Agenda
President Bartha requested a motion to approve the agenda.

Director Stark moved to approve the agenda. Director Clawson seconded the motion.
Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

4.00 Consent Agenda

4.01 Approval of Matters Relating to Administrative Personnel

President Bartha requested a motion to approve the consent agenda.

Director Clawson moved to approve the consent agenda. Director Stark seconded the motion.
Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

APPOINTMENTS:

Trask, Chris Hired as Executive Director for Curriculum, Instruction, and Assessment for the 2009-2010 school year at a salary of \$99,400.40. Chris is a transfer from his current position as Coordinator of Curriculum, Instruction and Assessment.

5.00 Other Business

5.01 Executive Session: Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators as authorized by section 24-6-402-(4) (e) of the Colorado Revised Statutes and to receive legal advice from our attorney, as authorized by section 24-6-402 (b) of the Colorado Revised Statutes. - Dealing with water damage.

President Bartha asked for a motion to go into executive session 5.01

Director Shook moved that we go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators as authorized by section 24-6-402-(4) (e) of the Colorado Revised Statutes and to receive legal advice from our attorney, as authorized by section 24-6-402 (b) of the Colorado Revised Statutes. - Dealing with water damage. Director Clawson seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The Board went into executive session at 6:17 p.m. with the following people present: President Bartha, Director Clawson, Director Shook, Director Stark, Dave Bond, Acting Superintendent, Joleen Schaake Chief Financial Officer, Marian Nall Director of Facilities, Sally Berg, Legal Counsel from Caplan and Earnest, and Loretta Branham recording secretary.

President Bartha requested a motion to return to regular session.

Director Clawson moved to return to regular session. Director Stark seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The Board returned to regular session at 6:53 p.m.

- 5.02 **Executive Session:** to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e). – Superintendent Search

Director Clawson moved that we go into executive session to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e). – Superintendent Search

Director Shook seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The Board went into executive session at 6:56 p.m. with the following people present: President Bartha, Director Clawson, Director Shook, Director Stark, and, Loretta Branham recording secretary.

President Bartha requested a motion to return to regular session.

Director Shook moved to return to regular session. Director Stark seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The Board returned to regular session at 7:50 p.m.

6.00 Superintendent/Board update

Acting Superintendent, Dave Bond announced that stucco is being put on various buildings in the district to prevent water from penetrating the walls of these buildings.

Director Stark apologized to Lynn McCarty for a statement that he had made at an earlier meeting.

Director Shook has had discussions with the community members, answered email, and taken part in site visits.

Bartha – statement on behalf of the board that they have no intention of hurting any ones feelings or making statements that are inappropriate; she has fell short of her desire to do that; it is not appropriate and they will strive to do better. She also made a public statement that notice has been received from the El Paso County Clerk and Recorders Office that should there be a recall election it will cost the district approximately sixty-eight thousand dollars.

7:00 Open Forum

Elaine Olsen – FTEA co president and teacher at Sand Creek High School, spoke about the superintendent search and wanting someone that knows the district. In regards to the turf; the money that might be involved is a question it is a lot of money.

Norbert Perry – had a question regarding the presentation on artificial turf was there only one presenter. He would like to see this district have a more effective maintenance program.

Karen Hobson – parent in the district, curious about the site visits; were community members involved and what kind of site visit was done on Mr. Rayburn since he is not in an educational setting.

Jackie Vialpando, parent in the district, expressed concern on hearing a five year contract for the new superintendent; she would like to see a one year contract with on performance options. In regards to the recall right now they have 4,300 signatures it could be up to sixty-eight thousand dollars to the district; this committee has made every effort to coordinate this with the November Election. The Department of Elections has just gotten back with them and said that the numbers the dates they gave them in the original email was wrong; so now it is up to the Board what it's going to cost because it could be less..

Mary Lougee, co president of FTEA, she is also concerned about offering a five year contract to a superintendent. In a year when you have not offered step increases, let go 13 people, and had others reduced to lower positions. She does not understand looking at artificial turf.

8:00 Action Items

8.01 Approval of Superintendent Finalist

The Board has continued to do site visits and background checks. There have been many questions raised and the Board is looking at strengths and weaknesses of the candidates. They have not gone back to Tulsa; they did phone visits. They are looking for the best person for District 49 and are covering every area of education possible. The Board recognizes that the district needs to have a superintendent; but at the same time this is a very important decision and the Board is not going to make that decision lightly.

The Board discussed in depth the process used in the superintendent search and the importance of this decision to the district. The decision has got to be made by the July 9th BOE meeting.

8.02 Authorization to Commence Legal Action Related to Design and Construction Defects at Certain District Schools

President Bartha requested a motion to approve action item 8.02

Director Clawson moved to authorize commencing litigation against parties involved in the design and construction of the Remington Elementary School, Stetson Elementary School, Springs Ranch Elementary School, Meridian Ranch Elementary School, Odyssey Elementary

School, Ridgeview Elementary School, Falcon High School, New Falcon High School, Vista Ridge High School, Falcon Middle School, Falcon Middle School, Woodmen Hills Elementary School. Director Shook seconded the motion.

Director Clawson stated for the record in consultation with legal counsel and consultants we have a reasonable basis to pursue the legal action related to the building design and construction.

President Bartha asked if there was any further discussion; hearing none she called for a vote.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

9:00 Discussion Items

9.01 Fields at Vista Ridge High School
Laid on the table

9.02 Revision to Board of Education Policy DAC – Continuing Financial Stability
Kent Clawson, Board Director presenting:

Optimally the District budget will have a remaining balance in various funds at the end of the fiscal year. To allow these funds to accumulate comes at a cost to the opportunities available to the District students. Parallel to the accumulation of these resources is the need for 21st century technology within our schools and increased maintenance of the facilities that house the students and support services.

It is proposed that once the overages from the previous fiscal year are identified, that those funds be apportioned to meet these various needs with a portion of these expenditures determined at the building level towards facility and/ or technology projects of their choosing. This allows buildings to address needs that are in line with their building mission, vision, and values.

By not accumulating these funds and instead directing these excess funds towards programmatic needs students are allowed to quickly reap the benefits of money that has been allocated to improve academic opportunity.

The Board discussed the pros and cons of using percentages and also where the priorities should be. The goal might be to target a certain percentage and for the fund balance each year.

By consensus the board would like to have this brought back at the August work session BOE meeting.

9.03 Revision to Board of Education Policy KFA – Public Conduct on School Property
Kent Clawson Board Director

In efforts to remove ambiguity that would cause otherwise legal actions to be inappropriate it is recommended that the added verbiage be included in to policy KFA. This change does not allow the person with the permit to carry a weapon onto school grounds, but it does allow for the proper and legal storage of a handgun in a locked compartment outside of District facilities. Two points need to be made very clear. First is that this would only apply to those members of society that are currently licensed to carry concealed weapons in accordance with State of Colorado law. The second point is that the policy will still prohibit the unauthorized possession of a weapon within school and District buildings.

Ultimately this change truly affects only those law abiding citizens who are currently authorized by the State of Colorado to carry a concealed weapon. Those who have not completed the requisite training shall not be protected by this policy change and will remain fully accountable to the District and local governing authorities.

By consensus this policy revision needs to go through legal review and come back as a discussion item at the August work session

9.01 was brought back on the table.

9.01 Fields at Vista Ridge High School

Presentations regarding artificial turf were given by Roger Yago from Field Turf, James Bateman from Environmental Turf Services, Bradley Grubaugh from Bradley Excavating Steve Wightman from Hellas Construction, and Justin Yarbrough and Paul Kelley from Academy Sports Turf and American Civil Constructors.

Kent Clawson left the meeting at 8:57 p.m.

10.00 Adjournment

President Bartha asked if there was any further business; hearing none she requested a motion to adjourn.

Director Shook moved to return to adjourn. Director Stark seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The meeting was adjourned at 10:25 p.m.

Anna Bartha, Board President

Kent Clawson, Board Secretary